

Drainage Work Group (DWG) Meeting

June 18, 2025

Following the welcome and introductions, Tom Gile, Board of Water and Soil Resources (BWSR) gave an overview of the agenda. Information was provided about the following drainage-related events.

- MADI/ Auditors fall meeting – Tentatively scheduled for September 9-11 in St. Cloud

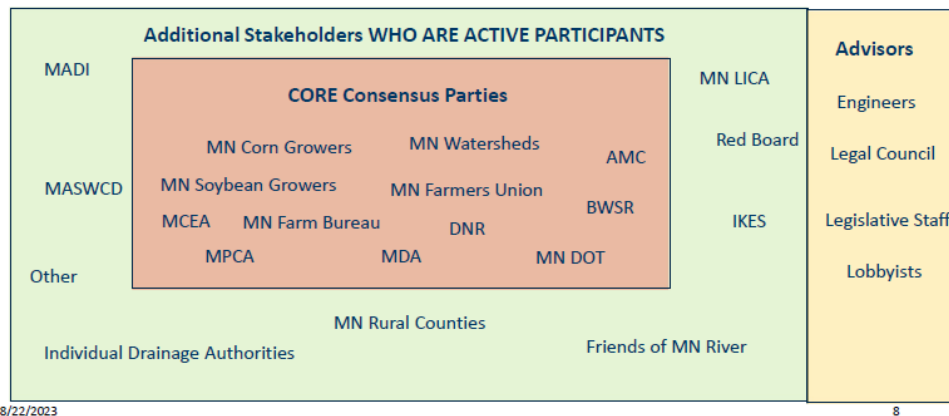
2025 DWG Schedule and Meetings

The meeting began with an overview of the agenda and a note about a new audio-visual setup in the MnDOT facility, which may affect online participants' audio quality. The 2025 meeting schedule is inconsistent due to facility booking limitations. To ensure a more predictable schedule for next year, meetings will be booked for the following year immediately after each session, aiming for the second Thursday of each month.

2025 Meeting Dates

- July 17
- August 21
- September 11 (if held)
- October 9
- November 6
- December 18
- January 8 (if needed)

The 2018 process summary was revisited. Tom emphasized that while the goal is always to achieve full consensus on recommendations, a non-consensus mechanism exists for instances where only one or two organizations dissent. This is not a simple majority vote and would not be used if there is widespread disagreement.



Feedback from the recent survey will inform process navigation, but the group will not spend the year debating its own procedures. Key member feedback included a desire for more in-depth discussion to understand differing viewpoints and find common ground, rather than ending conversations at the first sign of disagreement.

Multipurpose Drainage Management Program

The program received a new \$2 million appropriation from the Clean Water Fund for the current biennium (\$1 million available in the first year). The program remains highly successful and oversubscribed, with \$3.6 million in requests for \$1.9 million available in the last biennium, demonstrating strong need and effective fund use. The quarterly batching process is well-received for its flexibility and efficiency.

There is interest in expanding eligible practices (e.g., two-stage ditch), but additions must be carefully vetted to ensure quantifiable water quality benefits and compliance with Clean Water Fund requirements (supplementing, not supplanting, local repair obligations).

The program's success offers an opportunity to advocate for increased Clean Water Council funding. A unified message from the diverse work group stakeholders could be impactful.

Session Outcomes

- 103E.067 repeal. The statutory requirement for ditch buffer strip reporting has been successfully repealed.
- Drainage manual. The BWSR Board formally adopted the recommendation for the DWG to oversee and provide recommendations to the Minnesota Public Drainage Manual.
- DNR budget. A cut to the DNR's general fund for water was offset by an increase in water use permit fees. This will fund increased technical and compliance capacity, including area hydrologists and the drainage engineer.
- Red Lake Supreme Court Case. The court clarified that petitions for new or improved drainage systems located within a watershed district's geographic boundaries must be filed with the watershed district managers.
- FEMA Disaster Funding. FEMA is again questioning the eligibility of public drainage systems for disaster assistance, arguing that federal aid would be a duplication of funding since repairs are paid for by landowner assessments. The state (HSEM) is appealing this determination, citing a 2021 precedent where the Minnesota Attorney General's opinion affirmed the eligibility of such projects for outside funding. The outcome of the appeal is pending.
- Regional Conservation Partnership Program (RCPP) Storage Grant. The federal government has withdrawn its \$24 million award for the RCPP storage grant. The state-appropriated funds for storage projects remain available, and Bowser will determine the next steps for releasing a new RFP for those dollars.

DWG Tasks

- Drainage Manual Update. The group will prioritize updating Chapters 2 and 3 of the drainage manual, which contain outdated information regarding the Wetland Conservation Act (WCA) and federal 404/WOTUS regulations.
- Public Waters Inventory (PWI). The group will receive updates on the Public Waters Inventory process and the implementation of the guidance for public waters permits.
- WCA Rulemaking. An update on the WCA rulemaking process will be scheduled for the fall.
- Adequate Outlet. Following the development of the technical report, the group will hold a session to discuss how its recommendations are being applied and how communication has improved.
- Notice Streamlining. This topic remains stalled due to disagreement on whether to address notice procedures separately from the creation of a statewide registry. Tom will convene a small group of key stakeholders to determine if a path forward exists.
- Transfer of Authority. Discussion on clarifying the process for transferring drainage system authority will be deferred to allow for more analysis of the recent Supreme Court decision.

Next Meeting

The next meeting will be held on July 17 at 11:00 a.m. in St. Cloud.

Meeting notes by Jan Voit